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12 APPLE INC.

13 [Additional Counsel Listed on Signature Page]

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17
18 TAEA THALE,
19 Plaintiff,

20 vs.

21
22 APPLE, INC.,
23 Defendant.

CASE NO. C 11-03778 YGR

**STIPULATION AND ~~[PROPOSED]~~
ORDER REFERRING CASE TO
MAGISTRATE JUDGE FOR
SETTLEMENT CONFERENCE AND
RESCHEDULING DATES**

Hon. Yvonne Gonzalez Rogers
Courtroom 5

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Taea Thale (“Plaintiff”) and
2 Defendant Apple Inc. (“Apple”), through their counsel of record, hereby stipulate and agree as
3 follows, subject to the approval of the Court:

4 WHEREAS, fact discovery closed on January 6, 2014 and expert discovery closed on
5 February 15, 2014;

6 WHEREAS, cross-motions for summary judgment are currently due on March 18, 2014
7 [Dkt. No. 101];

8 WHEREAS, the parties believe that referral of this matter to Magistrate Judge Ryu for a
9 Settlement Conference would be productive at this juncture and could lead to a resolution of this
10 case without further motion practice or a trial;

11 WHEREAS, it will conserve both the Court’s and the parties’ time and resources if the
12 Court were to vacate and reschedule the hearing on the pending Motion to Strike Expert
13 Testimony and reschedule briefing on summary judgment until after the Settlement Conference;

14 WHEREAS, the requested referral and adjustments to the case schedule are made in good
15 faith and not for delay or any other improper purpose;

16 NOW THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that:

17 1. The Court refer the parties to Magistrate Judge Ryu for a Settlement Conference at
18 Judge Ryu and the parties’ convenience;

19 2. The Court vacate the hearing date on Plaintiff’s pending Motion to Strike Expert
20 Testimony and reschedule the Motion for hearing on May 20, 2014;

21 3. The Court reschedule the March 18, 2014 deadline to file cross-motions for
22 summary judgment until May 13, 2014 so that the parties, with Judge Ryu’s assistance, can
23 undertake meaningful efforts to reach a resolution in this matter;
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1 **THE FOREGOING IS SO STIPULATED AND AGREED TO:**

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3 DATED: February 27, 2014

MORRISON & FOERSTER

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5 By: David M. Walsh
DAVID M. WALSH

6
7 DATED: February 27, 2014

Attorneys for Defendant
APPLE INC.
MANN LAW GROUP

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9 By: /s/ Philip P. Mann
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19 Attorneys for Plaintiff
20 TAEA THALE
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LOCAL RULE 5-1(i)(3) ATTESTATION

I, David M. Walsh, am the ECF User whose ID and password are being used to file the Stipulation and [Proposed] Order Referring Case to Magistrate Judge for Settlement Conference and Continuing Dates. In compliance with Local Rule 5-1(i)(3), I hereby attest that Philip Mann has concurred in this filing.

/s/ David M. Walsh
DAVID M. WALSH

~~PROPOSED~~ ORDER

Pursuant to Stipulation, and good cause appearing, the Court hereby ORDERS as follows:

1. The parties are referred to Magistrate Judge Ryu for a Settlement Conference at Judge Ryu and the parties' convenience;

2. The hearing date on Plaintiff's pending Motion to Strike Expert Testimony is vacated and rescheduled to May 20, 2014;

3. The March 18, 2014 deadline to file cross-motions for summary judgment is continued until May 13, 2014;

IT IS SO ORDERED.

Dated: March 3, 2014


UNITED STATES DISTRICT JUDGE
YVONNE GONZALEZ ROGERS

CC: MagRef Email; Magistrate Judge Ryu